

In re) Fair Hearing No. J-04/10-186
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 Appeal of)

The petitioner appeals the decision by the Department for Children and Families, Economic Services Division, regarding the amount of his Food Stamps benefits (now called ("3SquaresVT")). The issue is whether the Department correctly considered the petitioner's income and expenses in determining the amount of his benefits. The following facts are not in dispute.

1. The petitioner is a single man whose sole income is \$784 a month in SSI. He applied for Food Stamps on March 9, 2010.

2. Based on information provided by the petitioner the Department determined that his allowable "shelter costs" for rent and utilities are \$286 a month.

3. Inasmuch as the petitioner's shelter costs do not exceed 50 percent of his income, and no other allowable deductions from income were identified, the Department

determined that the petitioner was only allowed a "standard deduction" of \$141 from his income. The result of these computations was a grant of Food Stamps in the amount of \$16 a month effective March 2010.

ORDER

The Department's decision is affirmed.

REASONS

The Food Stamp program allows a deduction for housing and utility expenses only to the extent that they are in excess of 50 percent of the recipient's net income (after certain other expenses are deducted). W.A.M. 273.9d (5) and P-2590A. All Food Stamp recipients, including the petitioner, are allowed a standard deduction of \$141. Although the petitioner undoubtedly has other necessary household expenses, only those expenses specifically identified in the regulations may be deducted for purposes of determining eligibility.¹

Based on the petitioner's net income he is eligible for \$16 a month in Food Stamps. (P-2590A.) Therefore, inasmuch

¹The only other allowable deduction that might apply to the petitioner is for excess (non-Medicaid-covered) medical expenses. If the petitioner incurs such expenses (which can include the unreimbursed costs of medically-necessary transportation) he should bring these expenses to the Department's attention.

as the Department's decision in this matter was in accord
with the pertinent regulations the Board is bound to affirm.

3 V.S.A. § 3091(d), Fair Hearing Rule 1000.4D.

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